

2004 Underground Storage Tanks Credit

Obtain additional information or assistance, tax forms and instructions, and copies of tax rulings and tax procedures by contacting one of the numbers listed below:

Phoenix	(602) 255-3381
From area codes 520 and 928, toll-free	(800) 352-4090
Form Orders	(602) 542-4260
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Recorded Tax Information

Phoenix	(602) 542-1991
From area codes 520 and 928, toll-free	(800) 845-8192

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Phoenix	(602) 542-4021
From area codes 520 and 928, toll-free	(800) 397-0256

Obtain tax rulings, tax procedures, tax forms and instructions, and other tax information by accessing the department's Internet home page at:

www.azdor.gov

NOTE: THE ARIZONA LEGISLATURE HAS REPEALED THIS CREDIT EFFECTIVE AUGUST 25, 2004. LAWS 2004, CH. 289, § 5 (H.B. 2045).

General Instructions

ARS §§ 43-1085 and 43-1173 provide a nonrefundable income tax credit for expenses incurred by an individual or corporate taxpayer for corrective actions taken with respect to the release of a regulated substance from an underground storage tank. The tax credit applies to taxable years beginning from and after December 31, 1993.

The credit is only allowed to an individual or corporate taxpayer not liable or responsible for corrective action as an owner or operator of an underground storage tank under Title 49 of the Arizona Revised Statutes.

The amount of the credit is equal to 10 percent of the amount spent by the taxpayer during the taxable year for corrective actions which have been certified by the Department of Environmental Quality as having been performed and as having met the requirements of ARS § 49-1005.

A credit is not allowed for any amount reimbursed to the taxpayer by the Department of Environmental Quality under ARS § 49-1052.

Specific Instructions

Complete the name and taxpayer identification number section at the top of the form. Indicate the period covered by the taxable year (in an MM/DD/YYYY format). Answer the eligibility questions. Attach the completed form to the tax return.

All returns, statements, and other documents filed with the department require a taxpayer identification number (TIN). The TIN for a corporation or an S corporation is the taxpayer's employer identification number. The TIN for an individual is the taxpayer's social security number or an IRS

individual taxpayer identification number. Taxpayers that fail to include their TIN may be subject to a penalty.

ARS §§ 43-1085 and 43-1173 do not contain any provision for the sharing of this credit by more than one taxpayer. These sections also do not allow this credit to be passed through from a partnership to its partners or from an S corporation to its shareholders. Therefore, the credit provisions contained in ARS §§ 43-1085 and 43-1173 are applicable only to the individual or corporate taxpayers who incur the qualifying expenses.

There are no provisions for a carryover of unused credits.

Part I - Schedule of Cost of Corrective Actions

Lines 1 through 10 -

Enter information relating to the corrective actions taken by the taxpayer.

Column (a) - enter the date the corrective action was taken.

Column (b) - enter the current taxable year's cost for the corrective action.

Column (c) - enter the amount of any reimbursement received from the Department of Environmental Quality for the corrective action.

Column (d) - Subtract the amount in column (c) from the amount in column (b). Enter the difference. This is the net cost of the corrective action.

Line 11 -

Add the amounts entered on lines 1 through 10 in column (d). Enter the total on line 11, column (d).

Part II - Calculation of Tax Credit for Current Taxable Year

Line 12 -

Multiply the amount from Part I, line 11, column (d) by 10 percent (.10). This is the total available credit for the current taxable year. Enter this amount here and on Form 300, Part I, line 9, or Form 301, Part I, line 11.

Part III - Description of Corrective Actions

List the corrective actions taken with respect to a leaking underground storage tank.

An individual or corporate taxpayer may claim the credit only if the taxpayer is not responsible for the corrective action as an owner or operator of the underground storage tank. The corrective actions must have been certified by the Department of Environmental Quality as having been performed and as having met the requirements of ARS § 49-1005.